

Message Text

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P R 210734Z JUL 78
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 6414
INFO USICA WASHDC
AMEMBASSY BRUSSELS
AMEMBASSY BUJUMBURA
AMEMBASSY KINSHASA
AMEMBASSY PARIS

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FROM AMBASSADOR

E.O. 11652: N/A
TAGS: SHUM, RW
SUBJECT: SOME ADDITIONAL THOUGHTS ON RECENT HUMAN RIGHTS
COLLOQUIUM

REF: (A) KIGALI 1157; (B) KIGALI 1190; (C) STATE 181219

SUMMARY: OFFERED HERewith ARE SOME SUPPLEMENTARY REFLECTIONS
ON AFRICAN HUMAN RIGHTS COLLOQUIUM HELD HERE, WITH PARTIAL
US SPONSORSHIP, EARLIER THIS MONTH. WHILE ORGANIZERS HAD
THEIR PROBLEMS -- INHERENT IN REMOTE AFRICAN GATHERINGS --
PARTICIPANTS MINED GOLD IN FREE WHEELING EXAMINATION
OF HR IN AFRICAN CONTEXT: THEY WORRIED OVER INTERNAL
ECONOMIC JUSTICE AND ROLE OF INDIVIDUAL IN NATIONAL
DEVELOPMENT; THEY CALLED FOR A MORE INDEPENDENT JUDICIARY
TO GUARANTEE THE INDIVIDUAL HIS FRUITS OF DEVELOPMENT;
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THEY FRETted AT GROWING AUTHORITARIANISM AMONG AFRICAN
GOVERNMENTS; AND THEY INVENTORIED HR VALUES WHICH AFRICAN
TRADITION MIGHT CONTRIBUTE TO MODERN WORLD. IT WAS
MAINLY REMARKABLE THAT THE EVEN OCCURRED AT ALL; PARTI-
CIPANTS HOPE THERE WILL BE OTHERS, AND SO DO I. END
SUMMARY.

1. REFTELS A AND B OUTLINED GENERAL POSITIVE RESULTS OF SUBJECT COLLOQUIUM, WHICH WE QUALIFIED AS A "SIGNAL SUCCESS" DESPITE SOME ORGANIZATIONAL CONFUSION AND SNAUFS. IN RECEIPT OF REFTEL C WHICH EVIDENTLY CROSSED THESE, I WISH TO ADD A FEW PERSONAL OBSERVATIONS ON THE SIGNIFICANCE OF THIS UNPRECEDENTED EVENT.

2. NIEO ISSUE. BASED ON EXPERIENCE ELSEWHERE, I FRANKLY EXPECTED THAT NIEO-RELATED ISSUES WOULD TEND TO ENGULF OTHER HR CONSIDERATIONS DURING DEBATE, AND INDEED MOST FORMAL PRESENTATIONS MADE REFERENCE TO ECONOMIC BASKET OF RIGHTS AND THEIR NEGLECT IN NORTH-SOUTH RELATIONS. HOWEVER, MEDIA REPORTS FROM COLLOQUIUM PLUS PRIVATE ONES FROM WEINSTIN AND HANNUM REASSURED ME THESE REFERENCES DID NOT DOMINATE DEBATE AND INDEED BORDERED ON THE PRO FORMA. MORE INTERESTING WAS STRESS WHICH PARTICIPANTS LAID ON INTERNAL RPT INTERNAL ECONOMIC JUSTICE:

--INDIVIDUAL RIGHT TO LAND ITS FRUITS, THE
"MOST BASIC" OF TRADITIONAL AFRICAN HUMAN RIGHTS AND
"SOURCE" OF ALL OTHERS;

-- DEFINITION OF NATIONAL DEVELOPMENT GOALS, AND
HOW TO ENSURE INDIVIDUAL ASPIRATIONS ARE REPRESENTED, NOT
JUST THOSE OF STATE AS A WHOLE;

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-- IMPORTANCE OF INVOLVING INDIVIDUAL FREELY IN
NATIONAL DEVELOPMENT EFFORT, RATHER THAN THROUGH
CONSTRAINT; AND

--PRIORITY WHICH SATISFYING BASIC HUMAN NEEDS IN
RURAL AREAS SHOULD HAVE IN NATIONAL DEVELOPMENT STRATEGY.

3. INDEPENDENT JUDICIARY. NOT SURPRISING PERHAPS AMONG GROUP HEAVILY WEIGHTED WITH JURISTS, UNUSUAL STRESS WAS LAID ON STRENGTHENING INDEPENDENCE OF JUDICIARY, WHICH PARTICIPANTS REGARDED AS HAVING LOST MUCH GROUND IN POST-COLONIAL AFRICA. THEY AGREED THAT OTHER RIGHTS, BOTH ECONOMIC AND CIVIL, WERE PREJUDICED TO EXTENT THAT INDIVIDUALS WERE DENIED DUE PROCESS, ESPECIALLY RIGHT TO APPEL LOCAL JUDGMENTS. MORE IMPORTANT EVEN THAN INDEPENDENT LEGISLATIVE BRANCH, STRONG JUDICIARY WAS THE KEY TO ECONOMIC PROGRESS, SINCE INDIVIDUALS COULD HAVE NO CONFIDENCE IN IMPROVING THEIR MATERIAL WELL-BEING UNLESS LEGALLY ASSURED OF PROPERTY RIGHTS, BARGAINING RIGHTS, CONTRACTS, ETC. N.B.: PARTICIPANTS CALLED FOR MAJOR EFFORT TO UPGRADE STANDARDS AMONG JUDGES AND LAW ENFORCEMENT OFFICERS.

4. BALANCE OF POWERS. PARTICIPANTS VOICED REPEATED CONCERN THAT TRADITIONAL POWER BALANCES HAD BEEN UPSET DURING AND FOLLOWING COLONIAL PERIOD. WHEREAS AUTHORITY OF KING OR CHIEF HAD TRADITIONALLY BEEN CURBED BY THAT OF "NOTABLES" OR LOCAL LEADERS WITH CLOSE TIES TO THE PEOPLE, INDEPENDENT POWER BASE OF LATTER HAD BEEN GREATLY ERODED, FIRST BY COLONIAL PRACTICES, MORE RECENTLY BY SUPPRESSION OF PARTY POLITICS AND EXECUTIVES' PRACTICE OF HAND-PICKING NATIONAL ELITE. RESULT WAS TO UPSET CHECKS AND BALANCES, WITH AN ALARMING RISE IN ARBITRARY EXECUTIVE AUTHORITY AND A MUFFLING OF POPULAR VOICE IN PUBLIC AFFAIRS.

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5. TRADITIONAL AFRICAN HUMAN RIGHTSM AS REPORTED REFTEL A, PARTICIPANTS ASSIGNED WORKING GROUP HEADED BY COLLOQUIUM PRESIDENT SEMINEGA TO SURVEY AFRICAN TRADITION AND SEE WHETHER THIS CONTINENT DID NOT HAVE ITS OWN CONTRIBUTION TO MAKE TO HUMAN RIGHTS CORPUS (SOME HAD VOICED COMPLAINTS THAT CLASSIC INTERNATIONAL DOCUMENTS, SUCH AS UNIVERSAL HR DECLARATION, WERE ESSENTIALLY SUMMARIES OF WESTERN VALUES WHICH IGNORED THOSE OF AFRICANS AND OTHERS). I FOUND THIS INITIATIVE EXTRA-ORGINARY, NOT SO MUCH FOR WHAT THE STUDY REVEALED AS FOR THE BASIC COMMITMENT TO HUMAN RIGHTS WORLDWIDE WHICH IT

REPRESENTED. IT ALSO PRODUCED SOME LESSONS FOR US:

--DRAFTERS FOUND STRONG AFRICAN TRADITION OF RESPECT FOR RIGHTS OF ELDERLY, WHICH THEY SAID WERE NEGLECTED IN WESTERN DOCUMENTS (SOME EXPRESSED SHOCK -- QUITE RIGHTLY, IN MY OPINION -- AT HOW HUMAN RIGHTS OF ELDERLY ARE IGNORED OR VIOLATED IN "ADVANCED" CULTURES). LIMITED OFFICIAL USE

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-- THEY ALSO DISCOVERED ALARMING BACKWARD TREND IN RIGHTS OF WOMEN IN AFRICAN SOCIETIES, WHICH (AS MEN, MIND YOU) THEY ATTRIBUTED TO "CONFUSION" IN AFRICAN MINDS OVER WOMAN'S PLACE IN SOCIETY PRODUCED BY MODERNIZING INFLUENCES AND EROSION OF MATRIARCHIES.

6. GENERAL CLIMATE. MOST SIGNIFICANT THING ABOUT HR COLLOQUIUM, IN MY OPINION, IS THAT IT HAPPENED AT ALL. GRANTED WE GAVE IT A STRONG PUSH (AND \$50,000) AT THE OUTSET, AND GRANTED THAT IILED ASSUME MAJOR RESPONSIBILITY FOR ORGANIZING IT, IT WAS FUNDAMENTALLY AN AFRICAN INITIATIVE AND AN AFRICAN SUCCESS. AND WITHOUT GOR COMMITMENT AND UNUSUAL MATERIAL SUPPORT, IT WOULD NEVER HAVE GOT OFF THE GROUND. FULGENCE SEMINEGA WAS ITS HERO: IT WAS HE (AS RWANDA SUPREME COURT PRESIDENT) WHO PERSUADED HABYARIMANA OF THE IDEA'S WORTH, WHO PERSEVERED THROUGH MANY MONTHS TO KEEP IILED ON THE TRACK, WHO PRESSED OTHER AFRICANS TO ATTEND, WHO REASSURED GOR OFFICIALS THAT POLITICAL FALL-OUT COULD BE MANAGED, AND WHO FINALLY LED PARTICIPANTS INTO SOME OF THEIR MOST INTERESTING AREAS OF DISCUSSION (I HAVE WRITTEN HIM TO SAY HOW MUCH I ADMIRE THE JOB HE DID).

7. SOME OTHER ATMOSPHERICS:

--JUST WHEN IILED REPS, FRUSTRATED BY LOGISTICAL SCREW-UPS, WERE READY TO CHUCK IT, IT WAS AFRICAN PARTICIPANTS WHO CARRIED ON, SAYING "WHAT'S THE FUSS? WE'RE HERE, WE CAN TALK FREELY WITH EACH OTHER FOR ONCE ABOUT TOPICS WHICH VITALLY CONCERN US. FORGET THE FORMALITIES, IT'S THE CHANCE OF A LIFETIME."

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--PARTICIPANTS UNANIMOUSLY VOICED APPRECIATION AND HIGH REGARD FOR PRES. HABYARIMANA AND GOR "COURAGE" IN

HOSTING COLLOQUIUM (ONE IVORIAN VOLUNTEERED OPENLY THAT SUCH A MEETING COULD NEVER HAVE TAKEN PLACE IN HIS COUNTRY).

-- SESSIONS SEEMED TO BRING ZAIRIAN, BURUNDIAN, AND RWANDAN PARTICIPANTS PROGRESSIVELY CLOSER TOGETHER, RATHER THAN DIVIDING THEM (AS SOME FEARED). BARUNDI WERE RESERVED AT OUTSET BUT ENTHUSIASTIC AND OUTSPOKEN BY MID-POINT. RESPECTIVE UNIVERSITY RECTORS HIT IT OFF PARTICULARLY WELL AND TALKED ABOUT CLOSER COOPERATION. AND IN GENERAL, EXCEPT FOR CAE REPS, PARTICIPATNS DISCARDED LABELS AND ESCHEWED NATIONAL PRIDE WHEN SUBJECTS HIT CLOSE TO HOME (AIR OF AUTO-CRITICISM WAS MUCH MORE NOTABLE).

--RWANDAN PRESIDENCY, THOUGH IT TOOK NO PART IN DEBATES, PITCHED IN WITH INVALUABLE LOGISTICAL HELP AT CRITICAL ELEVENTH HOUR (INCLUDING A FLEET OF VEHICLES FROM PROTOCOL OFFICE), AND I AM TOLD PRESIDENT ASKED FOR AND WAS GIVEN A DAILY BRIEFING ON COLLOQUIUM DEVELOPMENTS.

-- NOR WAS IT JUST A RWANDAN/US/AFRICAN SHOW: FRENCH AND BELIGAN MEMBERS OF UNR FACULTY TOOK ACTIVE AND SUPPORTIVE PART, BOTH IN SUBSTANCE AND LOGISTICS, WEITH AS MUCH ENTHUSIASM FOR HUMAN RIGHTS IN AFRICA AS THE REST OF US.

8. WARNING: PARTICIPANTS AGREED THAT THIS COLLOQUIUM SHOULD BE ONLY THE FIRST OF A CONTINUING SERIES OF SERIOUS AFRICAN GET-TOGETHERS ON HUMAN RIGHTS, IN RWANDA OR ELSEWHERE. ALL OUR HEADACHES NOTWITHSTANDING, I FULLY CONCUR.

CRIGLER

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